Remarks/Arguments

A favorable reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks.

Claims 1, 3, 4 and 12-17 were presented for examination, and Claims 1, 3, 4, 12-14 and 16-18 are now present in the case.

Claim 15 has been cancelled and replaced by "new" Claim 18.

The Examiner has rejected Claim 15 under the second paragraph of 35 U.S.C. §112 as being "indefinite". The Examiner contends that it is unclear what diseases and treatments are encompassed by the claim. It is the Examiner's belief that potentially inconclusive clinical research is necessary to determine whether a given disease responds or does not respond to the bradykinin antagonists embraced by the claim and, without such research, one skilled in the art cannot determine the actual scope of the claim.

As indicated above, Claim 15 has been cancelled and replaced by "new" Claim 18, which claim limits the diseases to a specific Markush group as suggested by the Examiner. Accordingly, the replacement of Claim 15 with "new" Claim 18 is believed to have overcome this rejection and its withdrawal is respectfully requested.

The Examiner has also rejected Claim 15 under the first paragraph of 35 U.S.C. §112 for lack of enablement. Although the Examiner acknowledges that the instant specification is enabling for treating pain, he contends that it is not enabling for treating all bradykinin-related diseases generally. In addition, the Examiner objects to the fact that Claim 15 reads on the use of "thousands of compounds" with very little pharma data in support thereof.

First of all, and as indicated above regarding the previous rejection, Claim 15 has been cancelled and replaced by "new" Claim 18, which claim limits the diseases to a specific Markush group. Secondly, the scope of compounds utilized in the method of "new" Claim 18 has been drastically reduced when compared to the scope of compounds utilized in the method of Claim 15, i.e., the former is limited to the compounds of Claim 3. However, to the extent that this rejection has not been overcome by the cancellation of Claim 15 and its replacement with "new" Claim 18, then this rejection is traversed.

Since the instant specification discloses a test method which is utilized for determining the usefulness of a compound as a bradykinin B_1 receptor antagonist (see, in this connection, Page 19, line 1 to Page 20, last line), coupled with the test results set forth on Page 20, last four lines, it is clear that all of the compounds of the instant claims exhibit bradykinin B_1 receptor

antagonist activity and, therefore, share the same pharmacological reactivity. Accordingly, there can be no question that one skilled in the art would conclude that all of the compounds embraced by "new" Claim 18 would be useful in treating all diseases responsive to the antagonism of bradykinin activity, i.e., those disclosed in the instant specification, those disclosed in the literature and heretofore undisclosed indications which respond to the antagonism of bradykinin activity.

In view of the foregoing, it is clear that there is simply no basis for "lodging" a "non-enabling" rejection under the first paragraph of 35 U.S.C. §112 against "new" Claim 18.

Applicants acknowledge the Examiner's indication that Claims 1, 3, 4, 12-14, 16 and 17 are allowed. However, in view of the foregoing amendment and remarks, it is Applicants' belief that "new" Claim 18 should be allowed as well.

Both of the rejections of record having been overcome, the instant application is deemed to be in condition for allowance, and an early notice to that effect is earnestly solicited.

Although a "new" dependent claim has been added by this Amendment, one dependent claim was cancelled. Accordingly, since the total number of claims now present in the case does not exceed the highest number previously paid for, no additional fee is necessitated by the added claim.

Respectfully submitted,

Novartis
Corporate Intellectual Property
One Health Plaza, Building 430/2
East Hanover, NJ 07936-1080

Joseph J. Borovian
Agent for Applicants
Reg. No. 26,631
(862) 778-7801

JJB/ld
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